

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARA MARTINEZ,

Plaintiff,

- against -

DR. SUNDARAM RAVIKUMAR, M.D.,

Defendant.

**VICTOR MARRERO, United States District Judge.**

In a Decision and Order dated May 14, 2009, the Court granted a motion to dismiss with prejudice the Complaint in this action, with respect to the claim under 42 U.S.C. § 1983. However, the Order portion of the Decision and Order erroneously stated that the motion to dismiss was granted without prejudice. Accordingly, it is hereby

**ORDERED** that the motion (Docket No. 2) of defendant Sundaram Ravikumar to dismiss the Complaint is GRANTED with prejudice, with respect to the claim for relief under 42 U.S.C. § 1983. The dismissal is without prejudice as to any state law claims arising from the facts alleged here.

The Clerk of the Court is directed to withdraw any pending motions and to close this case.

**SO ORDERED.**

Dated: New York, New York  
15 May 2009

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DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 5-15-09

08 Civ. 7242

**AMENDED ORDER**

VICTOR MARRERO  
U.S.D.J.